

**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
MONDAY, MARCH 15, 2004 AT 2:00 P.M.
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

- ITEM-1: ROLL CALL.
- ITEM-10: INVOCATION.
- ITEM-20: PLEDGE OF ALLEGIANCE.

=== LEGISLATIVE SCHEDULE ===

Special Orders of Business

- ITEM-30: Iranian-American Friendship Day.
MAYOR MURPHY’S RECOMMENDATION: Adopt the resolution.
- ITEM-31: Update 25th Anniversary Day.
COUNCILMEMBER ATKINS’ RECOMMENDATION: Adopt the resolution.
- ITEM-32: San Diego State University Month.
COUNCILMEMBER MADAFFER’S RECOMMENDATION: Adopt the resolution.
- ITEM-33: Approval of Council Minutes.

NON-AGENDA PUBLIC COMMENT

Non-agenda public comment is taken on Tuesday pursuant to the San Diego Municipal Code Section 22.0101.

REQUESTS FOR CONTINUANCE

The Council will now consider requests to continue specific items.

=== LEGISLATIVE SCHEDULE (Continued) ===

Adoption Agenda, Consent Items

ITEM-100: Vacation of a Portion of a Drainage Easement in Parcel 3 of Parcel Map 13020. Navajo Community Area. (Dist. 7)
CITY MANAGER'S RECOMMENDATION: Adopt the resolution.

ITEM-101: Solid Waste Local Enforcement Agency (LEA) Grant Application.
CITY MANAGER'S RECOMMENDATION: Adopt the resolution.

ITEM-102: Conversion of Fourth Avenue and Fifth Avenue to One-Way Operation. Centre City Community Area. (Dist. 2)
CITY MANAGER'S RECOMMENDATION: Adopt the resolution.

Adoption Agenda, Discussion, Other Legislative Items

ITEM-200: Environmental Appeals Regulations.
CITY MANAGER'S RECOMMENDATION: Introduce the ordinance.

ITEM-201: Agreement with Sharp Rees-Stealy Medical Group for Industrial Medicine Services to City Employees.
CITY MANAGER'S RECOMMENDATION: Adopt the resolution.

=== LEGISLATIVE SCHEDULE (Continued) ===

Adoption Agenda, Discussion, Other Legislative Items (Continued)

- ITEM-202: Amendments to the Inclusionary Affordable Housing Implementation and Monitoring Procedures Manual.
SAN DIEGO HOUSING COMMISSION'S RECOMMENDATION:
Adopt the resolution.

Special Hearings, Discussion

- ITEM-203: Conference with Real Property Negotiator, pursuant to California Government Code Section 54956.8 - Approximately 1.25 acres located in the City of Santee on the east side of Highway 67 at the north terminus of Graves Avenue (APN 384-120-38). **There is no Council discussion of this item. The City Council's actions are:** 1) Open the Public Hearing and accept testimony from any members of the public wishing to address the City Council on this subject; 2) Conclude and close the public hearing; and 3) Refer the matter to Closed Session on March 16, 2004.
- ITEM-204: Conference with Real Property Negotiator, pursuant to California Government Code Section 54956.8 - Qualcomm Stadium.
There is no Council discussion of this item. The City Council's actions are: 1) Open the Public Hearing and accept testimony from any members of the public wishing to address the City Council on this subject; 2) Conclude and close the public hearing; and 3) Refer the matter to Closed Session.

Non-Docket Items

Adjournment in Honor of Appropriate Parties

Adjournment

=== EXPANDED CITY COUNCIL AGENDA ===

SPECIAL ORDERS OF BUSINESS

ITEM-30: Iranian-American Friendship Day.

MAYOR MURPHY'S RECOMMENDATION:

Adopt the following resolution:

(R-2004-839)

Joining in the celebration of Norooz, the Persian New Year, and recognizing the many significant contributions that Iranian-Americans have made to our community;

Proclaiming March 20, 2004 to be "Iranian-American Friendship Day" in the City of San Diego.

ITEM-31: Update 25th Anniversary Day.

COUNCILMEMBER ATKINS' RECOMMENDATION:

Adopt the following resolution:

(R-2004-933)

Recognizing the 25th anniversary of Update, and commends them for their continued service to San Diego's Gay, Lesbian, Bisexual, and Transgender (GLBT) community and commitment to journalistic excellence;

Proclaiming March 15, 2004 to be "Update 25th Anniversary Day" in the City of San Diego.

SPECIAL ORDERS OF BUSINESS (Continued)

ITEM-32: San Diego State University Month.

COUNCILMEMBER MADAFFER'S RECOMMENDATION:

Adopt the following resolution:

(R-2004-835)

Recognizing on behalf of the people of San Diego, the commitment to San Diego State University.

Proclaiming March 2004 to be "San Diego State University Month" in the City of San Diego.

ITEM-33: Approval of Council Minutes.

TODAY'S ACTION IS:

Approval of Council Minutes for the meetings of:

2/09/2004

2/10/2004

2/16/2004 - Adjourned

2/17/2004 - Adjourned

2/23/2004 - Adjourned

2/24/2004 – Adjourned

REQUEST FOR CONTINUANCE

The Council will now consider requests to continue specific items.

CONSENT ITEMS

The following listed items are considered to be routine, and the appropriate Environmental Impact Reports have been considered. These items are indicated on the docket by a preceding asterisk (*).

RESOLUTIONS TO BE ADOPTED:

Items 100, 101, and 102.

ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS:

* ITEM-100: Vacation of a Portion of a Drainage Easement in Parcel 3 of Parcel Map 13020.

(Navajo Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2004-907)

Vacating the City's interest in the portion of a drainage easement located within Parcel 3 of Parcel Map 13020.

CITY MANAGER SUPPORTING INFORMATION:

City Council action is requested to vacate a portion of a drainage easement in Parcel 3 of Parcel Map 13020 as shown on Engineering Drawing 20005-B. This property is located in the Navajo Community Planning Area in Council District 7.

This easement is on private property. The applicant has obtained a building permit with new building design, making this easement unnecessary, and there is no present or anticipated future use for the easement in its present location. The applicant's approved development requires that the drainage easement be vacated. Staff has reviewed the request and recommends approval of the vacation. This easement was acquired at no cost to the City.

Ewell/Broughton/GRB

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

* ITEM-101: Solid Waste Local Enforcement Agency (LEA) Grant Application.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2004-883)

Authorizing the City Manager to submit an application to the California Integrated Waste Management Board (CIWMB) for a Local Enforcement Agency (LEA) Grant and, if awarded, accept and expend grant funds;

Authorizing the City Manager to conduct all negotiations, execute and submit all documents, including but not limited to applications, grant agreements, amendments, payment requests, which may be necessary to carry out and administer the obligations, responsibilities, and duties of the City of San Diego Solid Waste LEA under the terms of the grant;

Authorizing the City Auditor and Comptroller to establish a separate fund for these funds.

CITY MANAGER SUPPORTING INFORMATION:

The California Integrated Waste Management Board (CIWMB) is accepting applications for their Local Enforcement Agency (LEA) Grant Program. Funds totaling \$1.5 million are to be distributed from the CIWMB to certified LEAs. Pursuant to Public Resources Code Section 43230, these grant awards are to be used solely for support of LEAs Solid Waste Facilities Permit and Inspection Programs. The City of San Diego Solid Waste LEA was certified in August 1999, by the CIWMB, to carry out the duties and responsibilities associated with permitting, inspections, and enforcement at solid waste sites.

The City of San Diego LEA proposes to request grant funds for the purchasing of computer equipment, software, office and technical equipment, office supplies, health and safety equipment, medical monitoring program, maintenance of existing equipment, retaining consulting services, laboratory services, reference materials, professional memberships and for additional training of LEA staff to carry out their regulatory mandates. The City of San Diego LEA is eligible for approximately \$27,300 during this grant cycle.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

* ITEM-101: (Continued)

FISCAL IMPACT:

If awarded, the City would receive approximately \$27,300. This is not a matching grant.

Ewell/Christiansen/RLL

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

* ITEM-102: Conversion of Fourth Avenue and Fifth Avenue to One-Way Operation.

(Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2004-904)

Declaring Fourth Avenue between Island Avenue and J Street to be a one-way southbound; and Fifth Avenue between Market Street and J Street to be one-way northbound, pursuant to authority conferred by and in accordance with the provisions of Section 82.19 of the San Diego Municipal Code;

Authorizing the installation of the necessary signs and markings to be made on said streets; the regulations imposed shall become effective upon the installation of such signs.

CITY MANAGER SUPPORTING INFORMATION:

This action is to convert Fourth Avenue to a one-way southbound operation between Island Avenue and J Street, and to convert Fifth Avenue to a one-way northbound operation between Market Street and J Street. The proposed circulation pattern is consistent with the circulation in the rest of Centre City. Access to businesses and properties is not adversely affected. The conversion of these streets to one-way streets is supported by petitions received from the owners of more than 50% of the fronting properties, and has the support of the Centre City Development Corporation and the Gaslamp Quarter Association.

Council approval is required for designating a one-way street or alley, according to Municipal Code Section 82.19. The City Manager recommends approval of this action.

FISCAL IMPACT:

Funds are budgeted within the Transportation Department, Street Division's operating fund for this purpose.

Loveland/Belock/VW

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS

ORDINANCE TO BE INTRODUCED:

ITEM-200: Environmental Appeals Regulations.

(See City Manager Report CMR-04-042.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-2004-107)

Introduction of an Ordinance amending Chapter 11, Article 2, Division 3, of the San Diego Municipal Code, by amending Sections 112.0301 and 112.0308; amending Division 5 by amending Section 112.0510, and by adding new Section 112.0520; amending Chapter 11, Article 3, Division 1, by amending Section 113.0103, all pertaining to Environmental Determinations.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS

RESOLUTIONS:

ITEM-201: Agreement with Sharp Rees-Stealy Medical Group for Industrial Medicine Services to City Employees.

(See City Manager Report CMR-04-045.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2004-898)

Authorizing the City Manager to execute an agreement with the Sharp Rees-Stealy Medical Group, to provide industrial medical services to City employees for a period of two years with an option to renew for three additional one-year periods;

Authorizing the expenditure of an amount not to exceed \$2,363,000 per year from Workers' Compensation Fund No. 60029, contingent upon the City Council approving the fiscal years 2005 and 2006 budgets, for the purpose of providing funds for the execution of the above agreement.

Aud. Cert. 2400832.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS (Continued)

RESOLUTIONS: (Continued)

ITEM-202: Amendments to the Inclusionary Affordable Housing Implementation and Monitoring Procedures Manual.

(See San Diego Housing Commission Report CCR04-001.)

SAN DIEGO HOUSING COMMISSION'S RECOMMENDATION:

Adopt the following resolution:

(R-2004-913)

Approving the amendments to the Inclusionary Affordable Housing Implementation and Monitoring Procedures Manual to implement the City's condominium conversion regulations;

Authorizing and directing the Housing Commission to annually update the Procedure Manual to provide for the then current applicable sales price.

ADOPTION AGENDA, DISCUSSION, HEARINGS

SPECIAL HEARINGS:

ITEM-203: Conference with Real Property Negotiator, pursuant to California Government Code Section 54956.8:

Property: Approximately 1.25 acres located in the City of Santee on the east side of Highway 67 at the north terminus of Graves Avenue (APN 384-120-38)

City Negotiator: Real Estate Assets Director

Negotiating Party: Padre Dam Municipal Water District

Under Negotiation: Terms of Potential Disposition of Property

Prior to City Council discussion in Closed Session and in compliance with the Brown Act (California Government Code Section 54956.8), this item is listed on the docket **only** for public testimony.

There is no Council discussion of this item. The City Council's actions are:

1) Open the Public Hearing and accept testimony from any members of the public wishing to address the City Council on this subject; 2) Conclude and close the public hearing; and 3) Refer the matter to Closed Session on March 16, 2004.

NOTE: Members of the public wishing to address the City Council on this item should speak "in favor" or "in opposition" to the subject.

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

SPECIAL HEARINGS: (Continued)

ITEM-204: Conference with Real Property Negotiator, pursuant to California Government Code Section 54956.8:

Property: Qualcomm Stadium.

Agency Negotiator: Assistant City Attorney Leslie J. Girard, Deputy City Manager Bruce Herring, Paul Jacobs, Esq., Daniel S. Barrett, and Robert Kheel.

Negotiating Parties: City of San Diego and the San Diego Chargers.

Under Negotiation: Real Property Interests at the Qualcomm Stadium site pursuant to the recommendations of the Citizens Task Force on Chargers Issues, and pursuant to the terms of Paragraph 31 of the 1995 Agreement for the Partial Use and Occupancy of Qualcomm Stadium.

Prior to City Council discussion in Closed Session and in compliance with the Brown Act (California Government Code Section 54956.8), this item is listed on the docket **only** for public testimony.

There is no Council discussion of this item. The City Council's actions are:

1) Open the Public Hearing and accept testimony from any members of the public wishing to address the City Council on this subject; 2) Conclude and close the public hearing; and 3) Refer the matter to Closed Session.

NOTE: Members of the public wishing to address the City Council on this item should speak "in favor" or "in opposition" to the subject.

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT